

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO: 09-120

v.

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SECTION: "A"

RALPH ROBERTS

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**VIOLATION: 18 U.S.C. § 2252(a)(4)(B)
18 U.S.C. § 2253**

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FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **RALPH ROBERTS**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would show that at all times mentioned in the indictment, the defendant, **RALPH ROBERTS**, was a resident of the Eastern District of Louisiana, living in Jefferson, Louisiana.

The government would present evidence that on or about October 4, 2004, Special Agents from the U. S. Department of Homeland Security Immigration and Customs Enforcement (ICE) executed a federal search warrant, based on probable cause, at the defendant's Neely Street residence

located in Jefferson, Louisiana. Agents would testify that they, during their search, recovered approximately 500 computer disks.

The government would establish through testimony and documentary evidence that **RALPH ROBERTS** knowingly used his computer to search for, download, and save images of child pornography. Specifically, the government would introduce records that **ROBERTS** knowingly emailed, received, and possessed images of child pornography. Further, the evidence and testimony would establish that a forensic search of **RALPH ROBERTS's** computer media revealed approximately 868 images and 5 videos depicting the sexual victimization of children.

Further, the government would introduce statements of the defendant through ICE agents, wherein **RALPH ROBERTS** voluntarily admitted to federal agents that he knowingly downloaded images of child pornography. According to **ROBERTS**, he has been receiving child pornography via the Internet since 1997. **ROBERTS** stated that he was sexually oriented towards males and liked boys 16-17 or younger. **ROBERTS** told ICE agents that he had 500 disks that contained child pornography.

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that some of the child victims depicted in the images possessed by **ROBERTS** were of real, identifiable victims, less than the age of eighteen (18) at the time the child pornography was created.

_____ Testimony would establish that some of the child victims depicted in the materials possessed by **RALPH ROBERTS** were of prepubescent children less than 18 years of age; to wit: less than twelve (12) years old and that the images of the child victims were engaged in “sexually explicit conduct” as defined in Title 18, United States Code, Section 2256. These images included pictures

of adult males anally penetrating minor victims. All of the images of child pornography possessed by the defendant, would be introduced through the testimony of ICE agents.

Further, the government would present evidence that would establish that the images of child pornography had been transported in interstate and foreign commerce via computer.

Further, the government would show through testimony and documentary evidence that the equipment used by the defendant to acquire the child pornography was transported in interstate or foreign commerce.

RALPH ROBERTS
Defendant

DATE

SAMUEL J. SCILLITANI
Counsel for Defendant

DATE

BRIAN M. KLEBBA
Assistant United States Attorney

DATE